



2025:DHC:856-DB



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision: 11.02.2025

+ W.P.(C) 1640/2025 & CM APPL. 7970/2025
KAILASH CHAND GURJAR AND ORSPetitioners

Through: Mr.Rajat Arora and Mr.Niraj
Kumar, Advs.

versus

UNION OF INDIA AND ANRRespondents

Through: Mr.Kavindra Gill, SPC with
Mr.Ayush Saxena, GP for UOI
AC/CISF Anil Kumar,
AC/CISF G.S. Rathore,
Insp/CISF Yespal and SI/CISF
Prahlad Devenda

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

HON'BLE MS. JUSTICE SHALINDER KAUR

NAVIN CHAWLA, J. (ORAL)

1. This petition has been filed by the petitioners, praying for the following relief:

“(a) Pass a writ Mandamus or any other appropriate Writ / Orders/Directions to the Respondents to consider the name of the petitioners in the list of Shortlisted Candidates in terms of the Office Order dated 19.08.2024 for the deployment at HCI Dhaka , AHCI Chittangong, AHCI Rajshahi, AHCI Khulna & AHCI Sylhet and issue a Writ of Certiorari to quash clause 4 b (x) of the Office Order dated 15.11.2024.”

2. It is the case of the petitioners that the petitioners are not being



considered for deployment at the High Commission of India, Dhaka, AHCI Chittagong, AHCI Rajshahi, and AHCI Sylhet from 27.03.2025 to 04.04.2027 only for the reason that they are in the promotion zone and are likely to be detailed to attend the PCC/PPC during their deployment abroad.

3. Clause 10, on the basis of which the petitioners are not being shortlisted of which the petitioners are aggrieved by, is re-produced hereinunder:

“x. Officers/personnel who are in the promotion zone/ZOC are likely to be detailed to attend PCC/PPC during their deployment abroad may also not be shortlisted. In this regard action will be taken by Pers. Branch in respect of GOs & Estt. Branch in respect of NGOs to scrutinize their records,”

4. The learned counsel for the petitioners, on instructions, submits that the petitioners are willing to provide an undertaking to the respondents and to this Court, stating that they will not claim any right to promotion due to their not being able to attend the PCC/PPC Course at the time of their deployment.

5. Keeping in view the above submission, *prima facie*, we are of the view that once the petitioners are willing to forgo their right of promotion, there can be no reason for the respondents to still insist that they be not considered for their deployment abroad only for the reason that they are within the promotion zone and may have to be detailed to attend the PCC/PPC. It is for the petitioners to decide what would be the best course for their career progression.

